

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Laila Batts,

NO. C 08-00286 JW

Plaintiff,

**ORDER CONTINUING HEARING ON
DEFENDANTS' MOTION FOR PARTIAL
SUMMARY JUDGMENT**

v.

County of Santa Clara, et al.,

Defendants.

On December 7, 2010, the Court issued an Order setting a hearing and accelerated briefing schedule for Defendants' Motion for Partial Summary Judgment in order to accommodate the parties' schedule. (hereafter, "December 7 Order," Docket Item No. 377.) In the December 7 Order, the Court set the following schedule: December 27, 2010 as the date to file Defendants' Motion; January 10, 2011 as the date to file Plaintiff's Opposition; January 17, 2011 as the date to file Defendants' Reply; and set the hearing for January 31, 2011. (December 7 Order at 1-2.) On January 7, 2011, Defendants filed their Motion for Partial Summary Judgment, exceeding the Court's schedule by eleven days. (See Docket Item No. 384.)

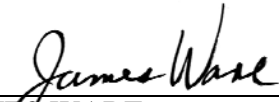
In light of Defendants' failure to timely file their Motion, the Court CONTINUES the hearing on Defendants' Motion for Summary Judgment to **February 28, 2011 at 9 a.m.** Further, the Court modifies the accelerated briefing schedule as follows:

- (1) On or before **February 7, 2011**, Plaintiff shall file her Opposition.
- (2) On or before **February 14, 2011**, Defendants shall file their Reply.

(3) On or before **January 27, 2011**, Defendants shall file a Stipulation of Undisputed Facts regarding the intervening event in chronological order.

Failure to adhere to the Court's deadlines may result in appropriate sanctions.

Dated: January 11, 2011



JAMES WARE
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Aryn Paige Harris aryn.harris@cco.sccgov.org
3 Barry Clement Marsh bmarsh@hinshaw-law.com
4 Blaise S. Curet bcuret@spcclaw.com
5 Gregory Joseph Sebastinelli gregory.sebastinelli@cco.sccgov.org
6 Jeremy L. Friedman jlfried@comcast.net
7 Scott R Kanter skanter@hinshaw-law.com
8 Stephen Ryan Wong swong@spcclaw.com

9 **Dated: January 11, 2011**

Richard W. Wieking, Clerk

10 **By: /s/ JW Chambers**
11 **Elizabeth Garcia**
12 **Courtroom Deputy**